

INTERNATIONAL TRADE ADMINISTRATION COMMISSION

GUIDELINES, RULES AND CONDITIONS PERTAINING TO REBATE ITEM 312.01/6001.92/01.06; FOR OTHER PILE FABRICS, KNITTED OR CROCHETED, OF MAN-MADE FIBRES, IN SUCH QUANTITIES, AT SUCH TIMES AND SUBJECT TO SUCH CONDITIONS AS THE INTERNATIONAL TRADE ADMINISTRATION COMMISSION MAY ALLOW BY SPECIFIC PERMIT, FOR USE IN THE MANUFACTURE OF BEDROOM SLIPPERS WITH UPPERS OF TEXTILE MATERIALS CLASSIFIABLE IN CHAPTER 64

1. Applicants must register with the South African Revenue Service (SARS) as users of the rebate provision, and they must acquaint themselves with the requirements of SARS.
2. Applications for permits must be addressed to the International Trade Administration Commission (ITAC), Private Bag X 753, Pretoria or delivered by hand to the DTI Campus, (Block E), 77 Meintjies Street, Sunnyside, Pretoria.
3. Applications for permits must be submitted according to the requirements of the attached application form. If the space provided in the application form is insufficient, please use the format of the application form to submit the requested information.
4. If all the information requested in the application form is not submitted, the application will not be considered, and it will be returned to the applicant.
5. At least (14) working days should be allowed for the processing of applications and the issuing of permits, provided that all necessary information has been submitted to ITAC.
6. The rebate permit will be valid for twelve months from the date of issue, or a shorter period as decided upon by ITAC.
7. If an applicant intends to apply for a subsequent permit for which the period of validity should commence on the day after the expiry date of the permit issued

in terms of paragraph 6, this must be clearly indicated in a new application. The application must be submitted to ITAC at least one month prior to the expiry date of the previous permit as permits cannot be issued with retrospective effect.

8. Any request for an amendment to a rebate permit must be forwarded to ITAC for consideration. Amendments will only be considered in the following instances:
 - a) Error by ITAC on permit;
 - b) Error by the applicant regarding the product description or tariff subheading. This will only be processed if the request is accompanied by a confirmation from SARS in this regard.
9. Should any party misplace a permit, the applicant should submit an affidavit on a company letterhead endorsed by a Commissioner of Oath, stating that the permit was lost and the circumstances surrounding the loss of such permit. ITAC may, on the facts furnished, exercise its discretion to issue a new permit. Should the lost permit be found the applicant must return such permit to ITAC.
10. Extensions will only be granted where the relevant permit has not expired, and in the view of ITAC, good cause warrants extension of such permit. Such discretion shall lie solely with ITAC. Extensions will only be permitted for a period up to 3 months and the party applying for the extension must submit a letter and supporting documents to ITAC, furnishing reasons and good cause for the extension.
11. Rebate permits issued will be subject to the following conditions:
 - 11.1 ITAC will, if it deems this necessary, physically inspect the equipment and manufacturing process prior to the issue of a rebate permit, and at least 70 per cent of manufacturing must be done by the applicant and therefore may not be outsourced;

- 11.2 The applicant must comply with labour laws, regulations and agreements gazetted by the Minister of Labour and Bargaining Council. Proof must be provided by submitting copies of Bargaining Council compliance certificate obtained from the National Bargaining Council for the Leather Industry of South Africa, where applicable, UIF registration as well as proof of salaries being paid.
- 11.3 The applicant must submit a Tax Clearance Certificate and VAT certificate.
- 11.4 The applicant must provide in each permit application the number of jobs it expects to create annually as a result of the rebate. The applicant will submit to ITAC an annual report on its job creation performance;
- 11.5 The applicant must consult with local manufacturers of textile fabrics and Texfed to confirm if they are able to supply a reasonable quantity of fabrics as required;
- 11.6 The applicant can request the manufacturer to respond within fourteen (14) days of their receipt of the request. Should the local manufacturers of textile fabrics not be able to supply the quantity requested, the applicant(s) need to obtain a confirmation letter from the manufacturer stating that they are not able to supply. The letter in its original form must be submitted with the application form;
- 11.7 If the manufacturer does not provide such a confirmation letter, ITAC will write a letter to the manufacturer informing them of the application and requesting them to confirm the domestic industry's production and production capacity. The manufacturer will then be allowed seven (7) working days to respond to this letter. Should the manufacturer respond within the afforded period, the information provided will be taken into account during the decision making process;

- 11.8 Should, after receipt of the manufacturers response, or in the absence of such response, information be available that reflects that the manufacturer is unable to supply the quantity of fabrics required, ITAC, will issue a permit; and
- 11.9 Based on the information available to it regarding whether or not a local manufacturer can supply the quantity of fabrics required, ITAC will decide whether to issue a permit.
- 11.10 Rebate permits may not be transferred in any manner by the holder thereof, to any other person, or be used to the benefit of any person, not named in the permits;
- 11.11 Applicants making use of Cut Make and Trim (CMT), should attach the following information:
- a) Name of the CMT;
 - b) Tax Clearance Certificate and VAT certificate;
 - c) Certificate of Compliance obtainable for the Bargaining Council;
 - d) Job profile of the CMT;
 - e) Provide ITAC with production volumes to be carried out by the CMT (The applicant should note that manufacturing by the CMT should not exceed 30 per cent of its own manufacturing volume as indicated in a permit issued by ITAC).

12. Non-compliance to the conditions of permits:

If there is a reason to believe that any condition of a permit issued in terms of this rebate provision is not complied with, the consignment in terms of which rebate was used can be seized by ITAC. If non-compliance is established, appropriate steps in terms of the International Trade Administration Act and the Customs and Excise Act will be taken and that can include, criminal charges, withdrawal of the permit or permits concerned and/or the rejections of future applications for permits

**INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF
SOUTH AFRICA
APPLICATION FOR A PERMIT IN TERMS OF REBATE
ITEMS**

312.01/6001.92/01.06

**FOR REBATE OF DUTY ON OTHER PILE FABRICS, KNITTED
CROCHETED, OF MAN-MADE FIBRES, IN SUCH
QUANTITIES AT SUCH TIMES AND SUBJECT TO SUCH
CONDITIONS AS THE INTERNATIONAL TRADE
ADMINISTRATION COMMISSION MAY ALLOW BY
SPECIFIC PERMIT, FOR USE IN THE MANUFACTURE
OF FOOTWEAR WITH UPPERS OF TEXTILE
MATERIALS CLASSIFIABLE IN CHAPTER 64**

APPLICATION FORM

BEFORE COMPLETING THIS FORM, PLEASE ACQUIANT YOURSELF WITH THE GUIDELINES AND CONDITIONS PERTAINING TO REBATE ITEMS

312.01/6001.92/01.06

FOR REBATE OF THE DUTY ON OTHER PILE FABRICS, KNITTED OR CROCHETED, OF MAN-MADE FIBRES, IN SUCH QUANTITIES, AT SUCH TIMES AND SUBJECT TO SUCH CONDITIONS AS THE INTERNATIONAL TRADE ADMINISTRATION COMMISSION MAY ALLOW BY SPECIFIC PERMIT, FOR USE IN THE MANUFACTURE OF FOOTWEAR WITH UPPERS OF TEXTILE MATERIALS CLASSIFIABLE IN CHAPTER 64

NB: ALL INFORMATION REQUESTED SHOULD BE FURNISHED

<p>1 (a). Applicant's name and postal address:</p> <p>Contact Person:..... Position:..... Address:..... Tel No.:..... Fax No.:..... Date completed:..... Email add:..... VAT Registration No:..... SARS Importer Registration No:..... (No application for this rebate provision will be considered for applicants utilising the "unallocated importers reference number i.e, 70707070)</p>	<p>1(b). Physical address where manufacturing will take place:</p>
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2 (a) In the event that the applicant will make use of services of the CMT, provide the details of the CMT as indicated in paragraph 1

2 (b) List the products that will be manufactured by the CMT and volumes to be produced.

3 (a). Technical description of the FABRICS that will be imported:

1.
2.
3.
4.

3 (b). Furnish the following information in respect of each of the FABRICS mentioned in 3 (a)

Product	1 HS Tariff code (8- digits)	2 Duty payable	3 Estimated quantity	4 Customs (f.o.b) Value	5 Country of origin	6 Planned date of importation
1. 2. 3. 4.						

4 (a). Description of the products that will be manufactured from the fabrics described in 3(a)

- 1
- 2
- 3
- 4

4 (b) Furnish the following information in respect of each of the products mentioned in 4(a):

Product	1 HS Tariff code 8- digits	2 Quantity to be processed	3 Estimated sales value (ex-factory)
1. 2. 3. 4.			

5. Describe the method of manufacturing of products mentioned in 4(a):

6. Furnish the following information in respect of the value of total sales in the Southern African Customs Union (SACU) as well as exports for the past three years in respect of the products mentioned in 4(a):

Year	Product	HS Tariff code (8 – digits)	Total Sales (in SACU)	Total export sales

7 (a) Are the goods/materials/components to be imported (as mentioned in 2(a) manufactured locally?

YES	NO
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7 (b) Why do you have to import the goods/materials/components? (This information is for record purposes only). *(Please submit letters from manufacturers as proof of efforts made to obtain the fabrics locally)*

8. Provide information pertaining to the number of jobs the firm will create annually as a result of the rebate. *(Submit with the application a letter signed by the Chief Executive Officer to provide a quarterly report on job creation performance)*

9. Name of Chief Executive Officer:.....
 Tel No:.....Fax No:.....

DECLARATION IN RESPECT OF AN APPLICATION FOR A PERMIT IN TERMS OF REBATE PROVISIONS 312.01/6001.92/01.06 SCHEDULE 3 TO THE CUSTOMS AND EXCISE ACT, 1964

NB: The obligation to complete and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the claimant

I, (full names) with identity number, in my capacity as – managing director/chief executive (in respect of a company) or senior member/ person with management responsibility (close corporation, partnership or individual) (Delete whichever is not applicable)

of (hereinafter referred to as the applicant) hereby declare that –

- a) the applicant complies with prescribed requirements in order to qualify for rebate in terms of the above-mentioned rebate provision;
- b) I have satisfied myself that the preparation of the application has been done in conformity with the guidelines and requirements in respect of the above-

mentioned rebate provision, with which I have fully acquainted myself and to which I unconditionally agree to;

- c) I accept that the decision by the Chief Commissioner: International Trade Administration will be final and conclusive and that the said Chief Commissioner may at any time conduct or order that an investigation to verify information furnished in the application form, be conducted;
- d) The information furnished in this application is true and correct;
- e) The applicant, or any one of its associates, or related party is not subject of an investigation by either the South African Police, the Office for Serious Economic Offences, International Trade Administration, or the Commissioner for South African Revenue Services (SARS) into previous claims or other related matters.

NAME: **DESIGNATION:**

SIGNATURE: **DATE AND YEAR:**

I CERTIFY THAT THE DEPONENT HAS ACKNOWLEDGED THAT HE KNOWS AND UNDERSTANDS THE CONTENTS OF THIS AFFIDAVIT, AND THAT HE HAS NO OBJECTION TO TAKING THE PRESCRIBED OATH, AND THAT HE CONSIDERS THIS OATH TO BE BINDING ON HIS CONSCIENCE.

SIGNED and SWORN to before me at on this Day of Year.

.....
COMMISSIONER OF OATHS

FULL NAMES:.....

CAPACITY: